

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015FL348		
Name of Service:	Clever Clogs Play School		
Address of Service:	9, Kelly's Bay Promenade, Skerries, Co. Dublin		
Eircode:	K34 EY13		
Name of Registered Provider:	Jane Murphy		
Service type:	Sessional		
Date of Inspection:	25/05/2023		
No of pre-school children:	AM	19	PM N/A
Address of the Early Years Inspectorate:	Early Years Inspectorate, 181-189 Lakeshore Drive, Airside Business Park, Swords, Co. Dublin K67 Y5C6		
Inspection undertaken by:	AM Coyle		
Title:	Early Years Inspector		

Authority to Inspect

The Tusla Early Years Inspectorate carries out inspections of Early Years Services under Section 58(J) of the Child Care Act 1991 (as inserted by Section 92 of the Child and Family Agency Act 2013).

Conditions if applicable	Not Applicable
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Description of service

Clever Clogs Playschool is a sessional Early Years service located in Skerries, north Dublin offering early childhood care and education to children aged between 3 and 6 years. The service operates from Monday to Friday between 09:15am to 12:15pm. The state funded early childhood care and education (ECCE) scheme is offered to children of eligible age for 3 hours daily, over 38 weeks of the year. The service operates from 2 rooms in the registered providers private residence including a section of the registered providers kitchen along with a separate room. Sanitary accommodation for children is located off the hallway of the residence. There is an enclosed outdoor play area in the garden that is directly accessed from the care room.

Staffing

The service employs 2 staff members including the registered provider, both staff members work directly with the children attending the service.

Methodology

Tusla's Early Years Inspectorate is the independent statutory regulator of early years services in Ireland. The Child Care Act 1991 (Early Years Services) Regulations 2016 define the duty of a registered provider to ensure the safety and well-being of children and to comply with these regulations. This Act also gives Tusla the authority to assess compliance with the regulations. The purpose of regulation in relation to early years services is to ensure that the care, safety, and well-being of children attending such services is upheld. Inspections of early years services are planned based on the following:

- Previous inspection history
- Any information received in relation to the service

The findings on inspection are based on:

- Information obtained through examination of documentation
- Direct observation
- Discussion with relevant staff

This inspection was unannounced and focused on the area of governance/ health, welfare and development of child/ safety/ premises and facilities. The inspections may also focus on other areas as required.

Inspection findings are documented in the inspection report which is first issued in draft format to the service with an opportunity to respond to any findings.

Where statutory requirements are identified as not being met, the registered provider must demonstrate how they have rectified the non-compliance and will prevent any non-compliance from re-occurring. The Corrective Action and Preventive Action plan (CAPA) will be used to inform decisions about compliance with regulatory requirements. Where the registered provider fails to meet the statutory requirements an escalation process may be commenced.

The inspectorate reserves the right to edit responses received for reasons including clarity, completeness and compliance with administrative and legal processes.

The contents of the report are compiled by the inspectorate body.

Acknowledgments

The inspector wishes to acknowledge the cooperation of the *registered* provider, staff member and children who were present on the day of the inspection.

Part II - Registration and Register

Regulation 8 - Notification of change in circumstances

(1) A registered provider of a pre-school service other than a temporary pre-school service shall, subject to paragraph (3), notify the Agency in writing of any proposed change in the details in relation to the pre-school service contained in the register pursuant to section 58C(2) of the Act or Regulation 7(2) at least 60 days before it is proposed that the change would take effect.

Non-Compliance Information

The service was operating outside of its registration status. The service is registered to accommodate 12 children at any one time. On the day of inspection 19 children were attending and on review of the attendance register 14 children attend the service on a regular basis. This regulation was identified as being non-compliant at the last 2 inspections of the service on the 09/04/2018 and the 14/06/2021 and the actions stated in corrective and preventive actions have not prevented a recurrence of the non-compliance.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The registered provider stated that an introductory morning was offered to our new students between the month of May and July. This service will no longer be available, and we will operate with our registered 12 children each morning.

Supporting documentation submitted

The registered provider has informed the Early Years Inspectorate registration office in writing that the service will not exceed the maximum number of 12 children that the service is registered to accommodate.

Summary Comment

The evidence submitted by the registered provider in relation to regulation 8 - Notification of change in circumstances has been reviewed and accepted. This will be reviewed at the next inspection.

Part III – Management and Staff

Regulation 9 – Management and recruitment

(1) A registered provider shall ensure that-

- (a) the service has a designated person in charge and a named person who is able to deputise as required,
- (b) at all times during the period when the pre-school service is being carried on, the designated person in charge or the named person referred to in subparagraph (a) is on the premises, and

(2) A registered provider shall ensure that each employee, unpaid worker and contractor is suitable and competent taking into consideration the nature of the needs of children, including by-

- (a) consideration of references from the person's past employers, if any, and in particular the most recent employer, if any,
- (b) consideration of references from reputable sources in the case of a person who has no past employers,
- (c) consideration of the vetting disclosure received from the National Vetting Bureau of the Garda Síochána in accordance with the Act of 2012 in respect of the person, and
- (d) ensuring, insofar as is practicable, that where a person has lived in a state other than the State for a period of longer than 6 consecutive months, he or she provides police vetting from the police authorities in that state.

(4) A registered provider shall ensure that, without prejudice to the generality of paragraph (2) and subject to paragraphs (5) and (6), each employee working directly with children attending the service holds at least a major award in Early childhood Care and Education at Level 5 on the National Qualifications Framework or a qualification deemed by the Minister to be equivalent.

Compliance Information

(1)(a) The registered provider was the designated person in charge of the service.

(b) The registered provider was present and in charge of the service when the inspector arrived unannounced on the morning of the inspection.

The files for both staff members both of whom work directly with the children were reviewed.

(2) (a) & (b) Two validated written references were available for 2 staff members.

Two written references were available for the registered provider.

(c) Garda vetting disclosures were available for 2 staff members.

(d) Not applicable as documentary evidence reviewed on inspection indicated that neither the registered provider or staff member had resided outside of the Irish jurisdiction for longer than 6 months as an adult and therefore did not require international police vetting.

(4) Both staff members who worked directly with children in the service held appropriate childcare qualifications on the National Framework of Qualifications.

Part III – Management and Staff

Regulation 11 - Staffing levels

(1) Subject to this Regulation, a registered provider shall ensure that there is at all times an adequate number of adults working directly with the children attending the pre-school service.

(3) Subject to paragraph (5), a registered provider of a sessional pre-school service shall ensure that at all times the minimum ratio of adults to children specified in column (3) of Part 2 of Schedule 6 opposite a particular reference number specified in column (1) of that Part in respect of the age range of the children specified in column (2) therefore at that reference number is satisfied.

Compliance Information

(1) On the day of inspection there was an adequate number of staff members working directly with the children attending the service.

(3) The adult to child ratio was correct in the service when the inspector arrived unannounced and remained so throughout the inspection.

There were 2 adults working directly with 19 children.

Part IV – Information and Records

Regulation 15 – Record of pre-school child

(1) A registered provider of a pre-school service other than a pre-school service in a drop-in centre or a temporary pre-school service shall ensure that a record in writing is kept in respect of each pre-school child attending the service containing the following particulars:

- (a) the name and date of birth of the child;*
- (b) the date on which the child first attended the service;*
- (c) the date on which the child ceased to attend the service;*
- (d) the name and address of a parent or guardian of the child and a telephone number where that parent or guardian or a relative or friend of the child can be contacted during the hours of operation of the service;*
- (e) authorisation for the collection of the child;*
- (f) details of any illness, disability, allergy or special need of the child, together with all the information relevant to the provision of special care or attention;*
- (g) the name and telephone number of the child’s registered medical practitioner;*
- (h) record of immunisations, if any, received by the child;*
- (i) written parental consent for appropriate medical treatment of the child in the event of an emergency.*

Compliance Information

(1) A record in writing was available for 13 of the 19 pre-school children who were in attendance on the day of inspection. The forms available were appropriately completed with the required information as specified in sub-sections (a) to (i) in this regulation.

Non-Compliance Information

(1) The registered provider did not ensure that a record in writing was kept in respect of each pre-school child attending the service. A record in writing in respect of (a) to (i) was not available for 6 children who were in attendance in the service on the day of inspection.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

Each child’s name is on our register. We no longer offer the service to children outside this year’s registration therefore all names of children attending are recorded. All children attending our service will be recorded.

Summary Comment

The evidence submitted by the registered provider in relation to regulation 15 –record of pre-school child has been reviewed and accepted.

Part V - Care of Child in Pre-school Service

Regulation 19 - Health, welfare and development of child

(1) A registered provider shall, in providing a pre-school service, ensure that-

(a) each child's learning, development and well-being is facilitated within the daily life of the pre-school service through the provision of the appropriate activities, interaction, materials and equipment, having regard to the age and stage of development of the child, and

Compliance Information

(1)(a) Each child's learning, development and well-being was facilitated in the service in relation to the following:

Basic needs:

- The two staff members engaged warmly and positively with the children throughout the inspection.
- Parents provide the children's snacks. These included sandwiches, rice cakes, crackers yogurts, fruit, and drinks. The children's water bottles were available within their reach, should they feel thirsty at any stage.
- The children were encouraged to be independent and self-caring suitable to their age and stage of development including using the toilet, tidying up after eating and preparing to go home.

Supporting relationships around children:

- The atmosphere between the staff members and children was relaxed and calm and the children engaged and interacted with the staff members comfortably.
- There was a consistency in staff provision in the service and both the children and staff members were very familiar with each other.
- The staff members took the opportunity when the children were being collected from the service to interact with parents and update them on their child's day in the service.

Physical and material environment:

- The play resources and materials that were available in the service were stored on low level accessible shelving enabling the children to take and return materials as they chose. A home area with play crockery and food was available to the children, a transport area which included cars, a play garage and train tracks was provided in addition to reading resources and a range of jigsaws, tabletop and small world materials.
- An outdoor area was provided to the rear of the care room. A playhouse, a kitchen with accessorial materials provided for the children to extend their play along with ride on toys were available for the children to play with. All of the children in attendance spent time in the outdoor area on the day of inspection.

Non-Compliance Information

Physical and material environment:

1. There were insufficient chairs available for the children to sit at. There were 17 chairs available and 19 children in attendance, consequently the children were unable to have their snack together.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

1. We have 17 chairs available for 12 children attending.

Summary Comment

The service has stated in writing that the numbers attending will not exceed 12 children at any one time there are sufficient chairs available in the service for the 12 children attending to use. The evidence submitted by the registered provider in relation to regulation 19 - Health, welfare and development of child has been reviewed and accepted.

Part VI - Safety

Regulation 23 - Safeguarding health, safety and welfare of child

A registered provider shall ensure that all reasonable measures are taken to safeguard the health, safety and welfare of a pre-school child attending the service and that the environment of the service is safe.

Compliance Information

General Safety:

- The external doors were appropriately secured to prevent the children from exiting unsupervised and to restrict unauthorised persons from gaining access to the service.
- The outdoor play area was gated and secured with a secure side gate and fencing to prevent a child gaining unsupervised access to a roadway or other source of danger.
- Cleaning agents were stored safely out of the reach of children.

Infection Control:

- The children were facilitated to wash their hands before eating and after using the toilet,
- The premises and play materials were in a clean and hygienic condition.

Administration of Medication:

- No children were observed having medication administered on the day of inspection. A policy for the administration of medication was available in the service.

Non-Compliance Information

Infection Control:

1. Children's snack food, some of which contained meat and dairy produce, were stored in the children's bags at room temperature on the day of inspection rather than in the fridge that was available. This increased the risk of bacteria multiplying to levels which could result in food poisoning.
2. A cloth towel was available in the sanitary accommodation for the children to dry their hands with. Cloth towels are not suitable for use in early years services due to the risk of cross contamination.
3. A staff member was observed changing a child's nappy without wearing an apron or disposable gloves. The staff member wore reusable household gloves only.

Administration of Medication:

4. There was no care plan available in the service for a child who was prescribed to have medication administered in the event of an emergency.

Fire Safety:

- Documentary evidence reviewed on inspection confirmed that fire drills are not conducted on a monthly basis in the service. The last fire drill occurred on the 18/11/2022. Fire drills must be conducted on a monthly basis to familiarise staff and children with evacuation procedures.

Action submitted by the Registered Provider

Corrective & Preventive Action

Infection Control:

- All perishable foods will be refrigerated going forward. A designated member to staff has been appointed to check children's lunches and is responsible for making sure all relevant food items will be refrigerated.
- Paper towels are now available to children and staff for drying hands in our toilet area. I will ensure there is a regular and consistent availability to paper towels available each day for children and staff members.
- Disposable aprons and gloves have been purchased and will be worn by staff while changing nappies and then discarded in the bin. A stock check will be carried out weekly to ensure these items do not run out at any time.

Administration of Medication:

- A specific care plan has been devised for this child with a nut allergy.

Fire Safety:

- We have updated our fire drill folder and will carry out a monthly fire drill and record it. Monthly Fire Drills will be carried out by a designated member of staff.

Supporting documentation submitted

Infection Control:

None

Administration of Medication:

Care plan for child.

Summary Comment

The evidence submitted by the registered provider in relation to regulation 23 - Safeguarding health, safety and welfare of child has been reviewed and accepted.

Part VI - Safety

Regulation 24 - Checking in and out and record of attendance

(1) A registered provider shall ensure that each pre-school child attending the service is checked in and out of the service by an employee or an unpaid worker.

Compliance Information

(1) Thirteen of the nineteen children who were present in the service on the day of inspection were signed into the attendance register.

Non-Compliance Information

(1) Six children who were present on the day of inspection were not signed into the attendance register. Furthermore, one child who was not in attendance in the service on the day of inspection was signed in as being present in the service.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

We no longer offer a settling in morning in May and June therefore all children present will be recorded. Attendance record will be maintained correctly going forward as only the registered 12 children will be attending.

Summary Comment

The evidence submitted by the registered provider in relation to regulation 24 - Checking in and out and record of attendance has been reviewed and accepted.

Part VI - Safety

Regulation 25 - First aid

(1) A registered provider shall ensure that a person trained in first aid for children is, at all times, immediately available to the children attending the pre-school service.

(2) A registered provider shall ensure that a suitably equipped first aid box for children-

(a) is safely stored in an easily accessible and conspicuous position on the premises, and

(b) is available to the children attending the pre-school service at all times.

Compliance Information

(1) A person trained in first aid including first aid responder (FAR) training was immediately available to the children attending the pre-school service as evidenced in the in-date FAR certifications provided for inspection in respect of both staff members.

Non-Compliance Information

(2)(a) and (b) The first aid box was not suitably equipped, there were no eye pads available and only 3 bandages provided.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

Extra items have now been purchased and put into our First Aid Box. A regular stock check of all required items in our First Aid Box will be checked by a designated member of staff.

Supporting documentation submitted

Photographs of items purchased for first aid box.

Summary Comment

The evidence submitted by the registered provider in relation to regulation 25 - First aid has been reviewed and accepted.

Part VI - Safety

Regulation 26 - Fire safety measures

- (1) A registered provider shall ensure that a record in writing is kept of-
- (a) any fire drill that takes place in the premises, and
 - (b) the number, type and maintenance record of fire fighting equipment and smoke alarms in the premises.
- (4) A notice of the procedures to be followed in the event of fire shall be displayed in a conspicuous position in the premises.

Compliance Information

- (1)(a) A record was maintained of fire drills which had been completed in the service.
- (4) Notices of the procedures to be followed in the event of a fire were conspicuously displayed in the premises

Non-Compliance Information

- (b) A record was not available of the number, type and maintenance of the smoke alarms and firefighting equipment in the service.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

Registered provider stated that a quote was received for the servicing of the fire equipment. Pending appointment of maintenance of fire equipment. Our service is now closed until September. These items will be serviced before we reopen, and evidence provided.

Summary Comment

As the maintenance of both the fire extinguishers and smoke alarms in the service are outstanding the regulatory requirement has not been addressed and remains outstanding. The registered provider has given assurances that the servicing will be carried out prior to the service reopening and will submit the certificates.